

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

U.S. BANK NATIONAL ASSOCIATION, as
successor to WACHOVIA BANK,
NATIONAL ASSOCIATION,

Interpleader
Plaintiff,

—against—

BARCLAYS BANK PLC and MORGAN
STANLEY CAPITAL SERVICES INC.,

Interpleader
Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/20/11

Case No. 09-cv-462 (RMB) (RLE)

STIPULATION AND ORDER OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Interpleader Plaintiff U.S. Bank N.A. ("U.S. Bank"), Interpleader Defendant Barclays Bank PLC ("Barclays"), and Interpleader Defendant Morgan Stanley Capital Services Inc. ("MSCS") hereby stipulate and agree that all claims in the above-captioned case shall be dismissed with prejudice, including the claims asserted in: U.S. Bank's Interpleader Complaint; Barclays' Answer, Affirmative Defenses, and Statement Supporting Claims for Relief; and MSCS's Answer, Affirmative Defenses, and Statement Supporting Claims for Relief.

Clerk to close this case.

DATED: New York, New York
April 19, 2011

ZEICHNER ELLMAN & KRAUSE LLP

By: 

David B. Chenkin
dchenkin@zeklaw.com
Jantra Van Roy
jvanroy@zeklaw.com
Stephen F. Ellman
sellman@zeklaw.com

575 Lexington Avenue
New York, New York 10022
(212) 223-0400

Attorneys for U.S. Bank N.A.

BOIES SCHILLER & FLEXNER LLP

By: _____

Jonathan D. Schiller
jschiller@bsflp.com
David R. Boyd
dboyd@bsflp.com
Alanna C. Rutherford
arutherford@bsflp.com

575 Lexington Avenue
New York, New York 10022
(212) 446-2300

Attorneys for Barclays Bank PLC

QUINN EMANUEL URQUHART
& SULLIVAN LLP

By: _____

Michael B. Carlinsky
michaelcarlinsky@quinnemanuel.com
Richard I. Werder, Jr.
rickwerder@quinnemanuel.com
Jonathan E. Pickhardt
jonpickhardt@quinnemanuel.com

51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

Attorneys for Morgan Stanley Capital Services Inc.

SO ORDERED:

Good Job!

This *20th* day of *April*, 2011



HON. RICHARD BERMAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZEICHNER ELLMAN & KRAUSE LLP

By: _____
David B. Chenkin
dchenkin@zeklaw.com
Jantra Van Roy
jvanroy@zeklaw.com
Rosh Jaffe
rjaffe@zeklaw.com

575 Lexington Avenue
New York, New York 10022
(212) 223-0400

Attorneys for U.S. Bank N.A.

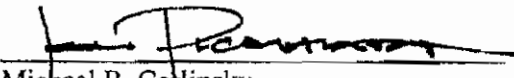
BOIES SCHILLER & FLEXNER LLP

By: _____
Jonathan D. Schiller
jschiller@bsflp.com
David R. Boyd
dboyd@bsflp.com
Alanna C. Rutherford
arutherford@bsflp.com

575 Lexington Avenue
New York, New York 10022
(212) 446-2300

Attorneys for Barclays Bank PLC

QUINN EMANUEL URQUHART
& SULLIVAN LLP

By: 
Michael B. Carlinsky
michaelcarlinsky@quinnemanuel.com
Richard I. Werder, Jr.
rickwerder@quinnemanuel.com
Jonathan E. Pickhardt
jonpickhardt@quinnemanuel.com

51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

Attorneys for Morgan Stanley Capital Services Inc.

SO ORDERED:

This 20th day of April, 2011



HON. RICHARD BERMAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZEICHNER ELLMAN & KRAUSE LLP

By: _____

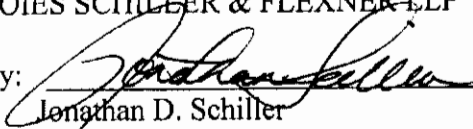
David B. Chenkin
dchenkin@zeklaw.com
Jantra Van Roy
jvanroy@zeklaw.com

575 Lexington Avenue
New York, New York 10022
(212) 223-0400

Attorneys for U.S. Bank N.A.

BOIES SCHILLER & FLEXNER LLP

By: _____


Jonathan D. Schiller
jschiller@bsflp.com
David R. Boyd
dboyd@bsflp.com
Alanna C. Rutherford
arutherford@bsflp.com

575 Lexington Avenue
New York, New York 10022
(212) 446-2300

Attorneys for Barclays Bank PLC

QUINN EMANUEL URQUHART
& SULLIVAN LLP

By: _____

Michael B. Carlinsky
michaelcarlinsky@quinnemanuel.com
Richard I. Werder, Jr.
rickwerder@quinnemanuel.com
Jonathan E. Pickhardt
jonpickhardt@quinnemanuel.com

51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

Attorneys for Morgan Stanley Capital Services Inc.

SO ORDERED:

This 20th day of April, 2011



HON. RICHARD BERMAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK